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Attorneys for Defendant
SKYWEST AIRLINES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SKYWEST PILOTS ALPA ORGANIZING
COMMITTEE, et al.,

Plaintiffs,

vs.

SKYWEST AIRLINES, INC.,

Defendant.

Case No. C-07-2688 CRB

**DECLARATION OF ROBERT SPAGAT IN
SUPPORT OF DEFENDANT'S
OPPOSITION TO PLAINTIFFS' MOTION
TO REQUIRE SKYWEST TO RELEASE
PLAINTIFF PHIL ALFORD**

Winston & Strawn LLP
101 California Street
San Francisco, CA 94111-5894

1 I, Robert Spagat, declare as follows:

2 1. I am an attorney duly admitted to practice law in the State of California, am a partner
3 at the law firm Winston & Strawn LLP ("Winston & Strawn"), and am one of the counsel of record
4 for Defendant SkyWest Airlines, Inc. ("SkyWest") in the above-referenced action. I have personal
5 knowledge of the facts set forth below, and if called upon to testify, I could and would competently
6 testify to them. I make this declaration in support of SkyWest's Opposition to Plaintiffs' Motion to
7 Require It to Release Plaintiff Phil Alford.

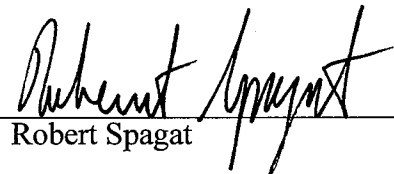
8 2. Attached hereto as Exhibit A is a true and correct copy of draft letter prepared by
9 Todd Emerson this morning. Mr. Emerson planned to send it to Linda Lye, but she filed her motion
10 so quickly that he was unable to finalize it. The draft letter sets forth SkyWest's position as to the
11 matter raised by Plaintiffs in the instant motion.

12
13 I declare under penalty of perjury under the laws of the United States of America that the
14 foregoing is true and correct to the best of my knowledge and belief, and this declaration was
15 executed this 4th day of June, 2007, at San Francisco, California.

16
17 Dated: June 4, 2007

WINSTON & STRAWN LLP

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19 By:


Robert Spagat

20 Attorneys for Defendant
21 SKYWEST AIRLINES, INC.
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EXHIBIT A

Dear Ms. Lye,

I am in receipt of your June 4 letter. You continue to demand, without basis, that SkyWest be deprived of Captain Alford's services on both the 5th and 6th of June so that you can prepare with him for the hearing on the 7th. You have ignored the fact that Mr. Alford has been available to you eight out of the last thirteen days, at least one day of which he was physically present in San Francisco.

Instead you cite our commitment, made at the May 24 hearing, to make pilots available for preparation time prior to the May 31 hearing. We did so. Of course you have had many months to prepare with your witnesses, including Mr. Alford, for the PI hearing you were planning as part of your litigation. SkyWest, on the other hand, is under extreme duress to mount a substantive defense in less than 17 days (including a holiday) as well as arrange its flight schedules and crews so that all of your witness demands may be met.

Now the hearing has been moved to June 7 and SkyWest has made every reasonable accommodation to ensure that the pilot witnesses are available while balancing our need to have them in service. We do not subscribe to your aggressive reading of the transcript, which you believe gives you the right to remove a pilot from service for two days, at your whim, no matter if you have previously met with your witnesses or had ample time to do so. This is simply not reasonable.

This position, coupled with yet another threat to run to the judge, is a further example of sharp practices and the abusive use of process to disrupt SkyWest legal and flight operations. We have no doubt that Judge Breyer will find that you have had ample time to prepare and will not order the further interruption of SkyWest operations, however, being haled into court yet again to answer your unreasonable demands will distract part or all of our legal team this week as it prepares to defend the substantive claims of this case. If required, we will bring the appropriate motion for sanctions for this continued abuse of process.

Todd C. Emerson
General Counsel - Operations
SkyWest Airlines
435.634.3530